

NOT VOTING—9

Brown (CA)	Houghton	Saxton
Carson	Minge	Shays
Cubin	Salmon	Thomas

□ 2102

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CUBIN. Mr. Speaker, on rollcall No. 233, I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. SHAYS. Mr. Speaker, earlier today, I was in Connecticut participating in the commencement ceremony at Greenwich High School and, therefore, missed eight recorded votes.

I take my voting responsibility very seriously, having missed only 4 votes in my almost 12 years in Congress.

I would like to say for the RECORD that had I been present I would have voted "yes" on recorded vote number 226, "yes" on recorded vote number 227, "yes" on recorded vote 228, "yes" on recorded vote 229, "yes" on recorded vote 230, "yes" on recorded vote 231, "no" on recorded vote 232, and "yes" on recorded vote 233.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1658, CIVIL ASSET FORFEITURE REFORM ACT

Mr. DREIER. Mr. Speaker, the Committee on Rules is expected to meet on Tuesday June 22, 1999, to grant a rule for the consideration of the bill H.R. 1658, the Civil Asset Forfeiture Reform Act.

The Committee on Rules may grant a rule which would require that amendments be preprinted in the CONGRESSIONAL RECORD. In this case, amendments to be preprinted would need to be signed by the Member and submitted to the Speaker's table no later than the close of business Tuesday, June 22.

Amendments should be drafted to the version of the bill ordered reported by the Committee on the Judiciary, a copy of which may be obtained from the committee.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted, and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 209 and rule XVIII, the Chair declares the House in the Committee of

the Whole House on the State of the Union for the consideration of the bill, H.R. 2122.

□ 2103

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2122) to require background checks at gun shows, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, the legislation we are about to consider before us this evening is here because all of us are concerned with the safety of our children in school, at home, on the playground, and on the street. That is the same reason we were considering the bill we just passed a moment ago.

In America, every child should have an opportunity to get a full education, to excel in the workplace to the best of his or her ability, to raise a family and to enjoy the high standard of living that the genius of the Founding Fathers of this great free Nation allowed us to develop. No child should have his or her life cut short in a suicidal massacre such as happened at Columbine High School or by any other violent criminal act.

We cannot address adequately by legislation all of the causes of violent crime in our society, but over the last 2 days we have crafted legislation in H.R. 1501 which, if enacted, will greatly assist our States and local communities in reducing the torrent of violent youth crime afflicting this Nation. The grant program in this legislation will help repair the broken juvenile justice systems in our 50 States and send a message to teenagers that there are consequences for their criminal misbehavior at every level, and that if they continue to engage in a course of criminal conduct there will be ever more severe punishment. I believe the experts that this legislation will make a difference.

Now we must turn our attention to the loopholes in the gun laws of this Nation that have become very apparent in the aftermath of the tragedy at Columbine. Over the last several weeks, there has been much debate over the issue of guns; debate in public, debate in the press, debate in this House. And despite all the differing views of those on all sides, there is one thing that I believe everyone agrees upon. We need to keep guns out of the hands of children, convicted felons and those who use them to harm our families.

Existing law prohibits a convicted felon, a fugitive from justice, a drug addict, an illegal alien, a minor, and several other categories of people from buying a gun. Several years ago an instant check background system was phased in specifically for the purpose of screening out convicted felons and other disqualified persons who attempted to buy guns from a gun dealer. This is a name check system.

The name check system has its weaknesses, one of them being that while the names of persons arrested for felony crimes are computerized in a central bank at the FBI, the conviction or acquittal records are not. Some States have computerized the disposition records showing conviction or acquittal but many have not. So when the name of a gun purchaser is entered in the instant check system and a hit is made, it is frequently only known that the person has an arrest record for a felony, not whether there was a conviction.

Once there is a hit of someone's name in the instant check system, there has to be contact made by someone working in that system to the county courthouse in the county and the State where the arrest was made to find out if the person was convicted of a felony crime on the charges that show up on the arrest record in the computer, or whether that person was acquitted, or maybe the charges were pled to a lesser offense, or, who knows.

If the sale is made over the weekend, and I think this is very important to note, if the sale was made over the weekend and the instant check turns up an arrest hit on the purchaser's name, the county courthouse is not open for business and the records cannot be checked to find out if there was a felony conviction that would disqualify the purchaser until Monday, when the courthouse opens.

This is the principal reason why current law provides that if an arrest hit occurs on a name in an instant check, law enforcement has up to 3 business days to determine whether there was a felony conviction before the sale can be completed. If it is determined there is a felony conviction, there can be no sale. If it does not make a determination, the sale may proceed at the end of the 3 days.

Now, when somebody buys a gun at a gun show from a dealer, under current law the instant check system works exactly the same as it does if somebody goes to the gun store and buys the gun from the gun dealer. However, if the purchase is made by an individual non-dealer citizen at a gun show, if that is the one who is selling the gun, an individual nondealer citizen, there is no background check to see if the person is a convicted felon who is attempting to make the purchase. This is a big loophole. This is the loophole that the bill before us, H.R. 2122, closes.